REMARKS

Claims 14 to 28 are in the application.

Claims 22 to 26 and 28 are withdrawn from further consideration.

With respect to the objection to the drawings in paragraph 4 on page 2 of the Office Action, it is respectfully pointed out that always two rockers 4, supporting elements 10 and drives 12, 13 are arranged on each side of the drums. The specification has been amended to explain that Figure 1 of the drawing is a side view, wherein another rocker 4 is arranged behind the rocker 4 shown in the drawing, another supporting element 10 is shown behind the supporting element shown in the drawing and another drive is arranged behind the drive shown in the drawing.

Concerning the objection to the drawing in paragraph 5 on page 3 of the Office Action, it is respectfully pointed out that the reference numerals referred to by the Examiner do appear in the Specification. Reference numeral 10 appears first in line 2 on page 4 of the specification. Reference numerals 7, 6 and 2 appear in lines 25 and 26 on page 3 of the Specification.

A new Abstract of the Disclosure has been added to the application.

Reconsideration and withdrawal of the rejection of claims 14 - 22 and 27 under 35 U.S.C. 112, second paragraph, are respectfully requested.

Claim 14 has been amended to change ``the cutting movement'' to --a cutting movement--.

With respect to the plural form of the rockers, supporting elements and drives, it is submitted that it is now clear that one of each of the elements is arranged on either side of the drums.

It is further submitted that claim 15 is clear. This claim sets forth the fact that on each side of the drums is arranged a support element which is mounted between the drive for affecting the cutting movement and the rocker.

Reconsideration and withdrawal of the rejection of claims 14 - 15, 18, 19 and 21 under 35 U.S.C. 102(b) as being anticipated

by German reference 2718793 and of the rejection of claims 17 and 20 under 35 U.S.C. 103(a) as being unpatentable over the German reference, are also respectfully requested.

The German reference is directed to a flying drum shear for cutting the front and rear crop end of a prerolled strip in a roughing mill. The speeds of the strip in roughing mills are very low. For this reason, the flying shear according to the reference can operate slowly and, because of the large thickness of the prerolled hot strip, the shear is of very heavy construction. High-speed cuts cannot be carried out with this shear.

In the shear according to the reference, the upper shear drum comprises bearing chucks which are guided essentially vertically in a stand. The bearing chucks are driven in vertical direction through a lever device and an angle drive. This configuration allows only very slow cuts with the application of a great force.

The present invention, on the other hand, is directed to a high speed shear which is arranged at the end of a finishing train. In order to make it unnecessary to accelerate large

masses, as it is the case, for example, in the German reference relied on by the Examiner and also in German application OS 41 28 970, one of the two drums of the shear is arranged between two rockers. Before the cut is carried out, each rocker is adjusted by shortening the respective support element to an effective position in which the cuts can be carried out appropriately. Subsequently, another drive, either the crank drive 12 or the piston-cylinder unit 16, carries out the cutting movement.

The German reference only discloses a single drive through which the cutting movement is carried out. In the reference, the drum is driven through a lever-type drive which is activated by a cylinder and actuates a lever. Because of the large masses involved, rapid cuts are not required.

In summary, in contrast to the present invention as claimed, the shear of the reference relied on by the Examiner is intended for slow cuts and discloses only a single drive for affecting the cutting movement.

The cutting device according to the present invention, on the other hand, is intended for rapidly carried out cuts and, therefore, has small masses. In addition, the device according

to the present invention includes two drives which are actuated successively in order to carry out a cut. First, the support elements are shortened to an effective position for effecting cuts and subsequently the drive 12, 13 or the drive 16 in the support element 10 carries out the cutting movement.

Consequently, it is submitted that it is clear from the above that the present invention as claimed is not disclosed or suggested by the reference relied on by the Examiner.

Therefore, in view of the foregoing, it is submitted that this application is now in condition for allowance and such allowance is respectfully solicited.

Any additional fees or charges required at this time in connection with the application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on April 4, 2003.

By: _____ Date: April 4, 2003
Friedrich Kueffner